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MORRISON & FOERSTER LLP  
12531 HIGH BLUFF DRIVE  
SUITE 100  
SAN DIEGO, CA 92130-2040

EXAMINER
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SERRAO, RANODHI N

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/605,532

Applicant(s)

PADDON, TOM

Examiner

Ranodhi Serrao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                       |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                           | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listed references in the IDS filed on 26 January 2004 do not have any relevance to the current application.

### ***Drawings***

2. The drawings are objected to because the drawings on filed 23 January 2004 do not have any relevance to the current application. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

3. Claim 5 is objected to because of the following informalities: The claim reads, "configured to **transform** information indirectly..." Emphasis added. This is grammatically incorrect. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-8, 26, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Kinnunen et al. (2001/0018349).

6. As per claim 1, Kinnunen et al. teaches a system comprising: a first communication device associated with a first user wherein said first communication device has a physical location parameter and is configured to communicate with a second communications device associated with a second user (¶¶ 67-69); a community engine server comprising a profile associated with said first user wherein said community engine server is configured to compare said profile with at least one affiliate

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profile and obtain a match result (§ 133); and, at least one affiliate server comprising said at least one affiliate profile wherein said at least one affiliate server is configured to provide said at least one affiliate profile to said community engine server over a communication network (§ 102).

7. As per claim 3, Kinnunen et al. teaches a system wherein said first communication device is configured to allow a user to join a group based on said physical location parameter of said first communication device (§ 106 and § 137).

8. As per claim 4, Kinnunen et al. teaches a system wherein said first communication device is configured to transfer information directly with said second communications device (§ 76).

9. As per claim 5, Kinnunen et al. teaches a system wherein said first communications device is configured to transform information indirectly with said second communications device (§ 109).

10. As per claim 6, Kinnunen et al. teaches a system wherein said physical location parameter is a static postal code (§ 65).

11. As per claim 7, Kinnunen et al. teaches a system wherein said physical location parameter is a dynamic physical location of said first communication device (§ 95).

12. As per claim 8, Kinnunen et al. teaches a system wherein said communications network comprises a web service (§ 86).

13. As per claim 26, Kinnunen et al. teaches a method comprising: accessing a first user profile in a community engine server (§ 133); accessing a group profile in said community engine server (§ 110); comparing said first user profile to said group profile

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in said community engine server; and, generating a match result based on said comparing (§ 111-112).

14. As per claim 27, Kinnunen et al. teaches a method further comprising: inviting a user to join a group associated with said group profile based on said match result (§ 109).

15. Claim 40 is rejected under 35 U.S.C. 102(e) as being anticipated by Simon et al. (2003/0087652). Simon et al. teaches a method comprising: accessing a first user profile in a community engine server; accessing a second user profile in said community engine server (§ 18-20); comparing said first user profile to a group profile associated with said second user profile in said community engine server (§ 39); and, generating a match result based on said comparing (§ 104).

### ***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnunen et al. as applied to claim 1 above, and further in view of Tucciarone et al. (2004/0122730). Kinnunen et al. teaches the mentioned limitations of claim 1 above but fails to teach a system wherein said first communication device is configured to transfer

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information with said second communication device upon selection of an alias associated within N-degrees of freedom of said match. However, Tucciarone et al. teaches a system wherein said first communication device is configured to transfer information with said second communication device upon selection of an alias associated within N-degrees of freedom of said match (see Tucciarone et al., ¶ 40). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kinnunen et al. to a system wherein said first communication device is configured to transfer information with said second communication device upon selection of an alias associated within N-degrees of freedom of said match in order to enable users to make self-tailored or personally customized requests for categories of information to be delivered to them via their e-mail/eMessaging address (see Tucciarone et al., ¶ 15).

18. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnunen et al. and Tucciarone et al. Kinnunen et al. teaches a system comprising: a first communication device associated with a first user wherein said first communication device comprises a physical location parameter and is configured to communicate with a second communication device associated with a second user (see Kinnunen et al., ¶ 67-69) and further configured to allow said first user to join a group based on said physical location parameter of said first communications device (see Kinnunen et al., ¶ 106 and ¶ 137); a community engine server comprising a profile associated with said first user wherein said community engine server is configured to compare said profile with at least one affiliate profile and obtain a match result (see Kinnunen et al., ¶ 133);

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and, at least one affiliate server comprising said at least one affiliate profile associated with an affiliate user wherein said affiliate server is configured to provide said at least one affiliate profile to said community engine server over a communication network (see Kinnunen et al., ¶ 102). But fails to teach by asserting an alias associated within N-degrees of freedom of said first user. However, Tucciarone et al. teaches by asserting an alias associated within N-degrees of freedom of said first user (see Tucciarone et al., ¶ 40). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kinnunen et al. to by asserting an alias associated within N-degrees of freedom of said first user in order to enable users to make self-tailored or personally customized requests for categories of information to be delivered to them via their e-mail/eMessaging address (see Tucciarone et al., ¶ 15).

19. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kinnunen et al. as applied to claim 1 above, and further in view of Leung et al. (2002/0061741). Kinnunen et al. teaches the mentioned limitations of claim 1 above but fails to teach a system wherein said community engine server comprises a scalable architecture. However, Leung et al. teaches a system wherein said community engine server comprises a scalable architecture (see Leung et al., ¶ 20). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Kinnunen et al. to a system wherein said community engine server comprises a scalable architecture in order to allow for both application logic, and update and filtering decisions, to be



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conveniently embedded in the generic communication and computation pattern for dynamic mobile service matching (see Leung et al., ¶ 18).

20. Claims 17, 20, 21, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ott et al. (2003/0120817) and Arellano (2003/0225785).

21. As per claim 17, Ott et al. teaches caching said transformed affiliate profile in a cache in a community engine server (see Ott et al., ¶ 47); accessing a first user profile in said community engine server (see Ott et al., ¶ 64); comparing said first user profile to said transformed affiliate profile; and, generating a match result based on said comparing (see Ott et al., ¶ 32). But fails to teach a method comprising: obtaining an affiliate profile from an affiliate server; transforming said affiliate profile to a transformed affiliate profile. However, Arellano teaches a method comprising: obtaining an affiliate profile from an affiliate server (see Arellano, ¶ 11-13); transforming said affiliate profile to a transformed affiliate profile (see Arellano, ¶ 27). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ott et al. to a method comprising: obtaining an affiliate profile from an affiliate server; transforming said affiliate profile to a transformed affiliate profile in order to collect personal information about actual or potential users and use this information for such purposes as improving the quality of services or for targeting advertisements (see Arellano, ¶ 3).

22. As per claim 20, Ott et al. and Arellano teach a method wherein said caching further comprises accessing a database (see Ott et al., ¶ 29).

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23. As per claim 21, Ott et al. and Arellano teach a method wherein said accessing is based upon a user associated with said first user profile manipulating a communication device interface (see Ott et al., ¶ 21).

24. As per claim 23, Ott et al. and Arellano teach a method wherein said comparing is performed based on a physical location parameter of a communication device (see Ott et al., ¶ 23).

25. As per claim 24, Ott et al. and Arellano teach a method wherein said generating is performed when a user associated with said first user profile accesses said community engine server (see Ott et al., ¶ 32).

26. Claims 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ott et al. and Arellano as applied to claim 29 above, and further in view of Kinnunen et al.

27. As per claim 18, Ott et al. and Arellano teach the mentioned limitations of claim 17 above but fail to teach a method wherein said obtaining said affiliate profile comprises accessing a web service hosted on said affiliate server from said community engine server. However, Kinnunen et al. teaches a method wherein said obtaining said affiliate profile comprises accessing a web service hosted on said affiliate server from said community engine server (see Kinnunen et al., ¶ 102). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ott et al. and Arellano to a method wherein said obtaining said affiliate profile comprises accessing a web service hosted on said affiliate server from said community engine server in order

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to provide location dependent services to a plurality of mobile terminals within a coverage area (see Kinnunen et al., abstract).

28. As per claim 22, Ott et al. and Arellano teach the mentioned limitations of claim 17 above but fail to teach a method wherein said comparing is performed within at least one group associated with said first user profile. However, Kinnunen et al. teaches a method wherein said comparing is performed within at least one group associated with said first user profile (see Kinnunen et al., ¶ 106 and ¶ 137). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ott et al. and Arellano to a method wherein said comparing is performed within at least one group associated with said first user profile in order to provide location dependent services to a plurality of mobile terminals within a coverage area (see Kinnunen et al., abstract).

29. Claims 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ott et al. and Arellano as applied to claim 29 above, and further in view of Generous et al. (2002/0120697).

30. As per claim 19, Ott et al. and Arellano teach the mentioned limitations of claim 29 above but fail to teach a method wherein said transforming further comprises the use of XSLT. However, Generous et al. teaches a method wherein said transforming further comprises the use of XSLT (see Generous et al., ¶ 1040). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ott et al. and Arellano to a method wherein said transforming further comprises the use of XSLT in

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order to support both current & new customer data requirements in a robust fashion (see Generous et al., ¶ 1025).

31. As per claim 25, Ott et al. and Arellano teach the mentioned limitations of claim 29 above but fail to a method wherein said generating is performed asynchronously by said community engine server. However, Generous et al. teaches a method wherein said generating is performed asynchronously by said community engine server (see Generous et al., 503). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Ott et al. and Arellano to a method wherein said generating is performed asynchronously by said community engine server in order to support both current & new customer data requirements in a robust fashion (see Generous et al., ¶ 1025).

32. Claims 11-16 and 29-34 have similar limitations as to claims 1-9 and 17-28 above; therefore, they are being rejected under the same rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are:

- Brady, Jr. (7,071,842) teaches system and method for locating and notifying a user of a person, place or thing having attributes matching the user's stated preferences


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- Pabla et al. (2004/0162871) teaches infrastructure for accessing a peer-to-peer network environment
- Judd et al. (7,016,963) teaches content management and transformation system for digital content
- Helgeson et al. (6,643,652) teaches method and apparatus for managing data exchange among systems in a network

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER